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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,931	10/20/2003	Paul Sung	15436.98.1	4863

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WORKMAN NYDEGGER
(F/K/A WORKMAN NYDEGGER & SEELEY)
60 EAST SOUTH TEMPLE
1000 EAGLE GATE TOWER
SALT LAKE CITY, UT 84111

EXAMINER

CHERRY, STEPHEN J

ART UNIT

PAPER NUMBER

2863

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/689,931

Applicant(s)

SUNG, PAUL

Examiner

Stephen J. Cherry

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 1-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of invention III, claims 28-35, in the reply filed on 2-1-2005 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 28-35 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,571,191 to York et al.

Claim 28 recites, as disclosed by York:

28. A method of generating calibration data and subsequently detecting and correcting calibration errors within a distributed network, comprising:
an act of performing a testing or calibration procedure on a component such that calibration data is generated from the procedure ('191, fig. 6, 82); an act of storing the calibration data in a database such that the calibration data is organized in a standard format that can be compared

with other calibration data ('191, col. 6, line 60); a step for identifying errors in the calibration data ('191, fig. 6, 84); and an act of informing an operator of the relevant errors detected in the calibration data in a time frame such that the operator can re-perform the testing and calibration procedures on the component in a proper manner ('191, col. 10, line 23).

Claim 29 recites, as disclosed by York:

29. The method of claim 28, further including an act of temporarily storing the calibration data in a file in its original format ('191, col. 9, line 44).

Claim 30 recites, as disclosed by York:

30. The method of claim 28, wherein the act of performing a testing or calibration procedure on a component is performed by a calibration device comprising: a hardware device that performs the testing or calibration procedure ('191, fig. 1, 12, 13, 15 and 20); a software module that interfaces with the hardware device to generate the calibration data relating to the response of the component to the testing or calibration procedure performed by the hardware device ('191, col. 4, line 45); a file configured to receive the calibration data from the software module ('191, fig. 1, 13); and a data filter that transfers the contents of the file to an external storage source in response to predetermined criteria ('191, fig. 6).

Claim 31 recites, as disclosed by York:

31. The method of claim 28, wherein the act of storing calibration data in a database in a standard format is performed by a data filter ('191, fig. 6).

Claim 32 recites, as disclosed by York:

32. The method of claim 28, wherein the step for identifying errors in the calibration data further includes: an act of searching the calibration data for components which have skipped a required testing or calibration procedure; and an act of comparing the calibration data for each of the components to determine if a particular component is improperly calibrated ('191, col. 6, line 38).

Claim 33 recites, as disclosed by York:

33. The method of claim 28, wherein the act of informing an operator is performed by displaying an alphanumeric message to the operator, including instructions that should be performed to correct the error ('191, col. 10, line 23).

Claim 34 recites, as disclosed by York:

34. The method of claim 28, wherein the act of informing an operator is performed in real time to minimize the amount of repeated mistakes made

by the operator and the potential loss of components which are improperly characterized as defective ('191, col. 10, line 23).

Claim 35 recites, as disclosed by York:

35. A method of generating calibration data and subsequently detecting and correcting calibration errors within a distributed network, comprising: an act of performing a testing and calibration procedure on a component such that calibration data is generated from the procedure ('191, fig. 6, 82); an act of storing the calibration data in a database such that the calibration data is organized in a standard format that can be compared with other calibration data ('191, col. 6, line 60); an act of searching the calibration data for components which have skipped a required testing or calibration procedure; an act of comparing the calibration data for each of the components to determine if a particular component is improperly calibrated ('191, col. 6, line 38); and an act of informing an operator of the relevant errors detected in the calibration data in a time frame such that the operator can re-perform the testing or calibration procedure on the component in the proper manner ('191, col. 10, line 23).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 6,370,455 to Larson et al.

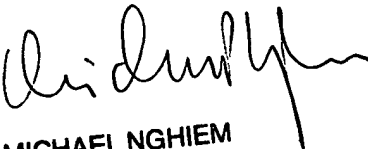
Art Unit: 2863

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J. Cherry whose telephone number is (571) 272-2272. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SJC


MICHAEL NGHIEM
PRIMARY EXAMINER

3/17/05